

SAFE DRINKING WATER ACT9-33-A. Administrative Penalty Under Part B: Penalty Assessments, Issuing Complaints, and Negotiating and Signing Consent Agreements

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act: to propose the assessment of a penalty against any person in violation of any administrative order issued under Part B of the SDWA; to issue, amend or withdraw complaints and to negotiate and sign consent agreements between the U.S. Environmental Protection Agency and respondents.
2. **TO WHOM DELEGATED.** Chief, Water Enforcement Branch.
3. **LIMITATIONS.**
 - a. These authorities may be exercised only for cases initiated by the Region.
 - b. Any official exercising this authority must obtain the advance concurrence of the regional counsel or designee on the legal sufficiency of any complaint or consent agreement.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated, except that the authority to negotiate and confer with the alleged violator may be redelegated to attorneys in assigned cases.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. SDWA §§ 1414(g)(1) and (3).
 - b. SDWA § 1445.
 - c. 40 C.F.R. part 22.



Suzanne J. Bohan, Director
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Date